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Attorneys for Defendants

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

NATHANIEL SEAN BOWDEN,  
 JUNELLE HARRIS,  
  
 Plaintiffs,  
  
 v.  
  
 ROBIN L. BARRETT, Field Office  
 Director, USCIS San Francisco District  
 Office; EMILIO T. GONZALEZ, Director,  
 U.S. Citizenship and Immigration Services;  
 MICHAEL CHERTOFF, Secretary,  
 Department of Homeland Security;  
 ROBERT S. MUELLER, Director, Federal  
 Bureau of Investigation; MICHAEL B.  
 MUKASEY,\* U.S. Attorney General,  
  
 Defendants.

No. C 07-5269 MEJ

JOINT REQUEST TO BE EXEMPT FROM  
 FORMAL ADR PROCESS; PROPOSED  
 ORDER

Each of the undersigned certifies that he or she has read either the handbook entitled  
 “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of  
 the ADR Unit’s Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute  
 resolution options provided by the court and private entities, and considered whether this case might

\*Pursuant to Fed. R. Civ. P. 25(d)(1), Michael B. Mukasey is substituted for his predecessor,  
 Alberto Gonzales, as the United States Attorney General.

ADR CERTIFICATION  
 No. C 07-5269 MEJ

benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to Plaintiffs' request that this Court compel Defendants to adjudicate an application for adjustment of status. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: January 3, 2008

Respectfully submitted,

SCOTT N. SCHOOLS  
United States Attorney

/s/  
MELANIE L. PROCTOR<sup>1</sup>  
Assistant United States Attorney  
Attorney for Defendants

Dated: January 3, 2008

/s/  
ROBERT B. JOBE  
Law Office of Robert B. Jobe  
Attorneys for Plaintiffs

# ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: January 23, 2008



<sup>1</sup>I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.